



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



August 14, 2003

James E. Hartl, AICP
Director of Planning

TO: Supervisor Yvonne Brathwaite Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: James E. Hartl, AICP
Director of Planning

**SUBJECT: REVISED RECOMMENDED CHANGES TO SECOND UNIT
ORDINANCE**

On June 24, 2003, your Board held a public hearing on the proposed Second Unit Ordinance. At that time, you expressed some concerns about certain ordinance provisions. With the appreciated assistance of your deputies, we have finalized a list of suggested changes to the proposed ordinance that we believe is responsive to your concerns as stated at that hearing.

These staff-recommended changes include a new distinction between development standards for urban versus rural areas, revised maximum unit size and height limits, new requirements for minimum lot size and maximum lot coverage, an allowance for the application of second unit procedures for lots with more than twice the area required in the zone, and the requirement for a variance application for all proposed modifications to required standards.

For your convenience we are prepared to briefly summarize this list of staff-recommended changes at your continued hearing on this matter on August 26, 2003. Additionally, the entire list of suggested changes is attached here. Leonard Erlanger of my staff is prepared to respond to any questions or concerns you may have about the suggested changes and the ordinance in general. He can be reached at (213) 974-6432.

JEH:RDH:LE

C: Chief Administrative Officer
County Counsel
Executive Office
Director, Department of Public Works

Attachment

SECOND UNIT ORDINANCE – RECOMMENDED CHANGES

The Department of Regional Planning is recommending the following changes to the draft "second unit" ordinance dated 5/7/03 in response to the issues identified at the Board of Supervisors' hearing on June 24, 2003:

Definition: The definition of second unit would be modified to allow them on lots of more than twice the required area. This change will also clarify the situation where a property owner would retain the right to file a "lease only" parcel map in an area in which second units are prohibited.

Areas in which second units would be allowed: There would be no change to the geographic criteria that allow second units only on parcels: that are not in a high fire hazard area, that have public water and sewers, that are located on slopes of less than 25 percent, etc.

Mandatory Conditions Necessary to Establish a Second Unit: Nine of the development standards (E.1 through E.9) listed in the draft ordinance would be reclassified as mandatory conditions that could not be modified by a variance or in any other manner. These provisions would remain the same as listed in the draft ordinance, except for condition E.9 which would be revised to require nonconforming residences to bring the parking up to current requirements before a second unit can be added.

Development Standards: The development standards would be divided into "urban" and "rural" areas. Two of the development standards (E.11 on maximum total floor area and E.13 on height allowances within the required rear yard setback) would be revised as identified below. The rear yard encroachment standard (E.12) would be eliminated; and the road right-of-way and parking standards (E.10 and E.14) would remain unchanged and would apply to both urban and rural areas. New minimum lot size standards would be added for both areas, a new lot coverage standard would be added for urban areas, and a new setback standard would be added for rural areas.

Urban Areas (These areas are defined as those that are shown on the relevant General Plan, Area Plan, Community/Neighborhood Plan or Coastal Plan as residential with densities greater than 1 dwelling unit per acre.)

1. **Maximum size of second unit:** (E.11--Revised)
 - 600 s.f. for 5,000 s.f. lot
 - 800 s.f. for 6,000 s.f. lot
 - 1,000 s.f. for 7,500 s.f. lot
 - 1,200 s.f. for 10,000 s.f. or larger lot

2. **Height limits:** (E.13--Revised)
 - For detached second units, maximum 17 feet
 - For attached second units, maximum height of structure to be 20 feet at a point five feet from the side yard lot lines and a point 20 feet from the front yard lot line, and any portion of the second unit over 20 feet in height would have to be set back one foot for every additional foot in height.
3. **Minimum lot size:** (New standard)
 - 5,000 s.f. (This standard would not be applicable to attached second units that are added as a second story and are positioned totally within the footprint of the existing building.)
4. **Maximum lot coverage:** (New standard)
 - 40 percent.

Rural Areas (These areas are defined as those that are shown on the relevant General Plan, Area Plan, Community/Neighborhood Plan or Coastal Plan as residential with densities of 1 dwelling unit or less per acre.)

1. **Maximum size of second unit:** (E.11--Unchanged)
 - 1,200 s.f.
2. **Height Limit:** (E.13--Revised)
 - As allowed in the zone
3. **Minimum lot size:** (New standard)
 - 1 acre
4. **Setback requirements:** (New standard)
 - 35 feet for front, rear and sides.

Modification of Standards: The development standards would be modified only by the variance procedure which is appealable to the Board of Supervisors. The proposed procedure for modification of development standards in the draft ordinance would be eliminated. In many cases, the addition of urban and rural area standards will eliminate the need for a modification of standards.

Other Issues:

“Bootlegged” garage conversions: The second unit ordinance and the variance procedure would provide mechanisms for giving the property owner the possibility of legalizing the unit.

Floor Area Ratio (FAR) Requirements: This standard is not needed if the lot coverage and height requirements are added to the ordinance.